

# House File 2144

HOUSE FILE \_\_\_\_\_  
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Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the compulsory school attendance age and  
2 providing effective dates.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 5102HH 82  
5 kh/nh/14

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1 1 Section 1. Section 299.1A, Code 2007, is amended to read  
1 2 as follows:  
1 3 299.1A COMPULSORY ATTENDANCE AGE.  
1 4 1. a. Except as provided in paragraph "b" and section  
1 5 299.2, a child who has reached the age of six and is under  
1 6 sixteen eighteen years of age by September 15 is of compulsory  
1 7 attendance age. However, if a child enrolled in a school  
1 8 district or accredited nonpublic school reaches the age of  
1 9 sixteen on or after September 15, the child remains of  
1 10 compulsory age until the end of the regular school calendar.  
1 11 b. A child who is receiving competent private instruction  
1 12 in accordance with the provisions of chapter 299A and who has  
1 13 reached the age of six and is under sixteen years of age by  
1 14 September 15 is of compulsory attendance age.  
1 15 2. a. An individual who reaches the age of eighteen on or  
1 16 after September 15 during the school year is not subject to  
1 17 compulsory school attendance on or after the date upon which  
1 18 the individual attains the age of eighteen if the individual  
1 19 files with the board of directors of the school district or  
1 20 the accredited nonpublic school of enrollment a formal  
1 21 declaration of intent to terminate school enrollment and, to  
1 22 the degree possible, participates in an exit interview  
1 23 pursuant to paragraph "b" and completes a survey in accordance  
1 24 with paragraph "c". The school district or accredited  
1 25 nonpublic school shall make every effort to notify the  
1 26 individual's parent or guardian of receipt of the individual's  
1 27 declaration of intent to terminate school enrollment. An  
1 28 individual who has reached the age of eighteen and who has not  
1 29 yet graduated from high school or attained a high school  
1 30 equivalency diploma is subject to compulsory school attendance  
1 31 until the formal declaration is filed with the board of  
1 32 directors of the school district or the authorities in charge  
1 33 of an accredited nonpublic school.  
1 34 b. To the degree possible, a guidance counselor or other  
1 35 school personnel designated by the school district or  
2 1 accredited nonpublic school shall conduct an exit interview  
2 2 with the individual to do all of the following:  
2 3 (1) Determine the reasons for the individual's decision to  
2 4 terminate school enrollment.  
2 5 (2) Discuss actions that could be taken to assist the  
2 6 individual to stay in school.  
2 7 (3) Inform the individual of opportunities to continue the  
2 8 individual's education in a different environment, including  
2 9 but not limited to adult education and test preparation  
2 10 designed to qualify the individual for a high school  
2 11 equivalency diploma.  
2 12 c. In addition to meeting the requirements of paragraphs  
2 13 "a" and "b", the individual, to the degree possible, shall  
2 14 complete a survey in a format prescribed by the department of  
2 15 education to provide data on the individual's reasons for

2 16 terminating enrollment and actions taken by the school to keep  
2 17 the individual enrolled. The school district or accredited  
2 18 nonpublic school shall submit the data from the completed  
2 19 surveys to the department of education annually.

2 20 Sec. 2. Section 299.2, unnumbered paragraph 1, Code 2007,  
2 21 is amended to read as follows:

2 22 ~~Section Sections~~ 299.1 and 299.1A shall not apply to any  
2 23 child:

2 24 Sec. 3. Section 299A.8, Code Supplement 2007, is amended  
2 25 to read as follows:

2 26 299A.8 DUAL ENROLLMENT.

2 27 If a parent, guardian, or legal custodian of a child who is  
2 28 receiving competent private instruction under this chapter ~~or~~

~~2 29 a child over compulsory age who is receiving private~~

~~2 30 instruction~~ submits a request, the child shall also be  
2 31 registered in a public school for dual enrollment purposes.

2 32 If the child is enrolled in a public school district for dual  
2 33 enrollment purposes, the child shall be permitted to

2 34 participate in any academic activities in the district and  
2 35 shall also be permitted to participate on the same basis as

3 1 public school children in any extracurricular activities  
3 2 available to children in the child's grade or group, and the

3 3 parent, guardian, or legal custodian shall not be required to  
3 4 pay the costs of any annual evaluation under this chapter. If

3 5 the child is enrolled for dual enrollment purposes, the child  
3 6 shall be included in the public school's basic enrollment

3 7 under section 257.6. A pupil who is participating only in  
3 8 extracurricular activities shall be counted under section

3 9 257.6, subsection 1, paragraph "a", subparagraph (6). A pupil  
3 10 enrolled in grades nine through twelve under this section

3 11 shall be counted in the same manner as a shared-time pupil  
3 12 under section 257.6, subsection 1, paragraph "a", subparagraph

3 13 (3).

3 14 Sec. 4. COMPULSORY ATTENDANCE WORKING GROUP. The

3 15 department of education shall convene a working group

3 16 comprised of the director of the department of education, or  
3 17 the director's designee, and other education stakeholders

3 18 appointed by the department to review supports for students  
3 19 affected by an increase in the compulsory attendance age from

3 20 sixteen to eighteen years of age. The working group shall  
3 21 consider, at a minimum, the necessity of expansion of support

3 22 programs and services for such students, online at-risk  
3 23 academy courses, career academies, and current at-risk

3 24 allowable growth provisions, and full funding of the  
3 25 instructional support levy. The working group shall submit

3 26 its findings and recommendations, including any proposed

3 27 changes in policy or statute, to the state board of education  
3 28 and the general assembly by January 15, 2009.

3 29 Sec. 5. STATE MANDATE FUNDING SPECIFIED. In accordance

3 30 with section 25B.2, subsection 3, the state cost of requiring  
3 31 compliance with any state mandate included in this Act shall

3 32 be paid by a school district from state school foundation aid  
3 33 received by the school district under section 257.16. This

3 34 specification of the payment of the state cost shall be deemed  
3 35 to meet all the state funding-related requirements of section

4 1 25B.2, subsection 3, and no additional state funding shall be  
4 2 necessary for the full implementation of this Act by and

4 3 enforcement of this Act against all affected school districts.

4 4 Sec. 6. EFFECTIVE DATES. The section of this Act

4 5 providing for a compulsory attendance working group takes

4 6 effect July 1, 2008, and the remainder of the Act takes effect  
4 7 July 1, 2009.

4 8 EXPLANATION

4 9 This bill raises the compulsory school attendance age for  
4 10 students other than those receiving competent private

4 11 instruction. Those students, other than those who received  
4 12 competent private instruction, who reach age 18 on or after

4 13 September 15 during a school year are of compulsory attendance  
4 14 age for the rest of the school year unless they file with the

4 15 school district or accredited nonpublic school a formal  
4 16 declaration of intent to terminate school enrollment and, to

4 17 the degree possible, participate in an exit interview and  
4 18 complete a survey that will provide data annually to the

4 19 department of education regarding the reasons students are  
4 20 terminating enrollment. The bill includes technical

4 21 amendments to eliminate a reference to the compulsory  
4 22 attendance age for purposes of dual enrollment and to exempt

4 23 children who meet conditions existing in Code section 299.2.  
4 24 The bill also directs the department of education to convene a

4 25 compulsory attendance working group.  
4 26 The school district or nonpublic school must make every

4 27 effort to notify the individual's parent or guardian of a  
4 28 student's intent to terminate enrollment. To the degree  
4 29 possible, in conducting the exit interview, school personnel  
4 30 must determine the reasons for the individual's decision to  
4 31 terminate school enrollment, discuss actions that could be  
4 32 taken to assist the individual to stay in school, and inform  
4 33 the individual of opportunities to continue the individual's  
4 34 education in a different environment, including but not  
4 35 limited to adult education and test preparation designed to  
5 1 qualify the individual for a high school equivalency diploma.

5 2 The working group is to review supports for affected  
5 3 students and to consider the necessity of expanding support  
5 4 programs and services, online at-risk academy courses, career  
5 5 academies, current at-risk allowable growth provisions, and  
5 6 full funding of the instructional support levy. The working  
5 7 group must submit a report to the general assembly and the  
5 8 department of education by January 15, 2009.

5 9 The bill may include a state mandate as defined in Code  
5 10 section 25B.3. The bill requires that the state cost of any  
5 11 state mandate included in the bill be paid by a school  
5 12 district from state school foundation aid received by the  
5 13 school district under Code section 257.16. The specification  
5 14 is deemed to constitute state compliance with any state  
5 15 mandate funding-related requirements of Code section 25B.2.  
5 16 The inclusion of this specification is intended to reinstate  
5 17 the requirement of political subdivisions to comply with any  
5 18 state mandates included in the bill.

5 19 The provision relating to the working group takes effect  
5 20 July 1, 2008, while the remainder of the bill takes effect  
5 21 July 1, 2009.

5 22 LSB 5102HH 82

5 23 kh/nh/14.1